

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TRACEY L. GILLIARD, REBECCA
GILLIARD, and AAA ENTERPRISES,
INC.,

4:19CV3044

Plaintiffs,

vs.

TOTRAN TRANSPORTATION
SERVICES, INC., JOHN M. SULLIVAN,
LIMITLESS LOGISTICS, INC., and
JANUSZ CZERNEK,

Defendants.

AAA ENTERPRISES, INC.,

Plaintiff,

4:19CV3074

vs.

TOTRAN TRANSPORTATION
SERVICES, INC., JOHN M. SULLIVAN,

Defendants / Third
Party Defendants /
Cross Claimants,

vs.

LIMITLESS LOGISTICS, INC., and
JANUSZ CZERNEK,

Defendants / Third
Party Plaintiffs /
Cross Defendants

ORDER

Defendants Totran Transportation Services, Inc. and John M. Sullivan have moved to consolidate the above-captioned cases. The parties agree that the cases may be consolidated for discovery and pretrial preparation. The cases involve common questions of law and fact, the parties are the same, and the counsel of record are the same. Consolidating the cases will serve the interests of justice and judicial economy. Accordingly,

IT IS ORDERED: that case number 4:19-cv-3074, (Filing No. 11) is granted, and

- 1) The following cases are consolidated for discovery and pretrial preparation:

4:19-cv-3044, Gilliard et al v. Limitless Logistics, Inc. et al

4:19-cv-3074 AAA Enterprises, Inc. v. Totran Transportation Services, Inc. et al

- 2) 4:19-cv-3044, Gilliard et al v. Limitless Logistics, Inc. et al is hereby designated as the “Lead Case,” and 4:19-cv-3074 AAA Enterprises, Inc. v. Totran Transportation Services, Inc. et al is designated as a “Member Case.”
- 3) The court’s CM/ECF System has the capacity for “spreading” text among consolidated cases. If properly docketed, the documents filed in the Lead Case will automatically be filed in the Member Case. To this end, the parties are instructed to file in the Lead Case, 4:19-cv-3044, Gilliard et al v. Limitless Logistics, Inc. et al, all further documents except those described in paragraph 4 and to select the option “yes” in response to the System’s question of whether to spread the text.
- 4) The parties may not use the spread text feature to file complaints, amended complaints, and answers; to pay filing fees electronically using pay.gov; to file items related to service of process; or to file notices of appeal.
- 5) If a party believes that an item in addition to those described in paragraph 4 should not be filed in both of these consolidated cases, the party must move for permission to file the item in only one of the

cases. The motion must be filed in both of the consolidated cases using the spread text feature.

- 6) The Rule 26 Meeting Report deadline of September 19, 2019, set in 4:19-cv-3044, Gilliard et al v. Limitless Logistics, Inc. et al, (See Filing No. 17) now also applies to 4:19-cv-3074 AAA Enterprises, Inc. v. Totran Transportation Services, Inc. et al.

Dated this 1st day of August, 2019.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge